

06/04/2003TTAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of trademark application Serial No.: 76326769

Filed: October 18, 2001

For the mark: L&B SPUMONI GARDENS

Published in the Official Gazette May 21, 2002.



07-17-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

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TRADEMARK TRIAL AND APPEAL BOARD

_____	X	
LBSG, LLC	:	
Opposer,	:	Notice of Opposition No.: 91152521
LB Gardens, Inc.	:	
Applicants.	:	
_____	X	

**BOX TTAB
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513**

WITHDRAWAL OF OPPOSITION BY OPPOSER

Opposer, LBSG, LLC, a limited liability company, organized and existing under the laws of the state of New Jersey, located and doing business at 1 Chadwick Road, Millstone, New Jersey, 07726 (USA), submits this letter withdrawing its Opposition against the mark shown in Application No.: 76326769 "L&B SPUMONI GARDENS" with prejudice.

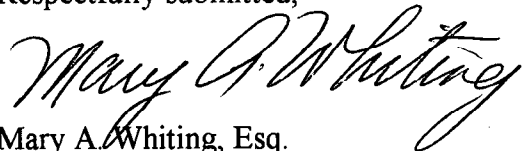
08/04/2003 TTAB

This withdrawal is pursuant to **37 CFR 2.119(a)**, and **TBMP 113** and has been served upon all parties to the proceeding and proof of service is attached hereto. Also attached is certificate of mailing and a return receipt post card.

This withdrawal letter is signed by the Opposer's attorney, Mary A. Whiting, Esq.

If the TTAB needs to reach Opposer's counsel concerning this withdrawal letter, please contact Opposer's attorney at the address and telephone number listed below.

Respectfully submitted,

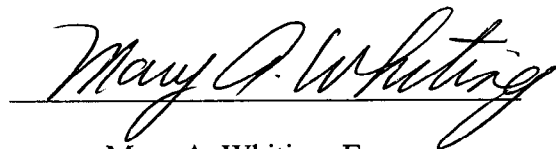


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Encs: Certificate of Mailing
Certificate of Service
Return Receipt Postcard

CERTIFICATE OF MAILING

I hereby certify that the **WITHDRAWAL OF OPPOSITION** is being deposited by United States Postal Service First Class Mail on this 14th day of July, 2003, addressed to **BOX TTAB, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.**
Dated: July 14, 2003



Mary A. Whiting, Esq.
Attorney for Opposer
1001 Clove Road
Staten Island, New York 10301
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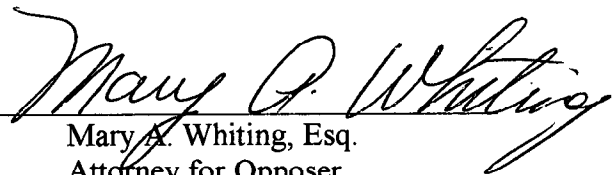
08/04/0903TAP

CERTIFICATE OF SERVICE

I hereby certify that an original copy of this **WITHDRAWAL OF
OPPOSITION** was served by United States Postal Service First Class Mail on this 14
day of July, 2003, addressed to the counsel for the Applicant:

Larry B. Miller, Esq.
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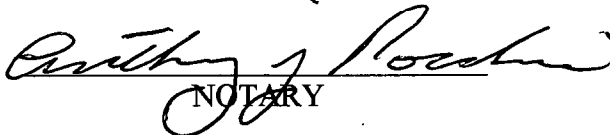
Dated: July 14, 2003



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State of New York)
County of Richmond)

Sworn to Before me this
14th day of July, 2003.


NOTARY

ANTHONY J. POCCHIA
Notary Public, State of New York
No. 43-4777845
Qualified in Richmond County
Commission Expires October 31, 2005

02/04/2003TTAB

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07-17-2003

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VIA FIRST CLASS MAIL

July 14, 2003

BOX TTAB FEE
Commissioner of Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

RE: Opposition No. 91152521
Opposer: LBSG, LLC
Applicant: LB Gardens, Inc.
In the Matter if Serial No.: 7632769

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TTAB

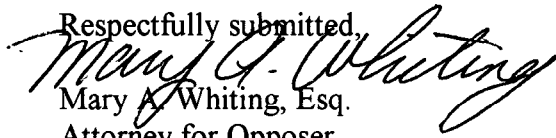
RE: WITHDRAWAL OF OPPOSITION

Dear Commissioner:

I enclose the following

- ◆ **Letter of Withdrawal of Opposition (one(1) original , two (2) two copies) with Certificate of Mailing and Certificate of Service**
- ◆ **Return Receipt Postcard**

If you need to correspond with me, please contact me at the above address or email immediately.

Respectfully submitted,

Mary A. Whiting, Esq.
Attorney for Opposer

Encs: